

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION AT KNOXVILLE**

In re

LESTER DAN PIERCY, JR.

Case No. 3:18-bk-32261-SHB

DOLORES J. PIERCY

Case No. 3:18-bk-32260-SHB

JOSEPH SHANE PIERCY

Case No. 3:18-bk-32262-SHB

Debtors.

M. DUSTIN LONG,

Plaintiff,

v.

LESTER DAN PIERCY, JR., et al.,

Defendants.

CONSOLIDATED CASES

Adv. Proc. No. 3:18-ap-03043-SHB

Adv. Proc. No. 3:18-ap-03044-SHB

Adv. Proc. No. 3:18-ap-03046-SHB

PARTIES DISCOVERY PLAN

COME NOW the parties, by counsel, following a status conference on March 24, 2022,
and submit the following discovery plan:

1. The parties' views on Fed. R. Civ. P. 26(f)(1)-(4) are as follows:
 - a. No changes should be made to the timing, form or requirement for disclosures. The initial disclosures will have been made by both parties no later than April 15, 2022
 - b. The subjects of discovery are the issues and defenses listed in the complaint and answer(s).
 - c. No changes should be made in the limitations on discovery imposed under the rules.

- d. No other discovery orders are appropriate at this time.
2. The Plaintiff had previously obtained a state court judgment against all of the Defendants for \$151,670.87 from a failed partnership agreement. The Plaintiff has alleged that the Defendants had previously embezzled and committed defalcation in violation of 11 USC 523.
3. The Defendant denies the allegations that they acted with fraudulent intent or committed defalcation against the Plaintiff. The Defendants also allege that the Plaintiff converted assets of the business partnership, and has alleged the doctrine of unclean hands as an affirmative defense.
4. The parties do not believe that the prospects for settlement are good at this time.
5. The parties suggest that trial will take one (1) day and request that trial be set after November 1, 2022.
6. The parties agree that the issues presented are core proceedings, pursuant to 28 U.S.C. §157(b)(2)(H); that the court has jurisdiction; and that venue is proper in this court.

Respectfully submitted,

/s/ Ryan E. Jarrard

Ryan E. Jarrard,

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